

NATIONAL AIRLINES COUNCIL OF CANADA SETS THE RECORD STRAIGHT ON BILL C-310

OTTAWA, May 13, 2009 – The House of Commons will vote today on Bill C-310, a Private Member's Bill proposing an air passengers' bill of rights. If passed into law, the bill's punitive measures will have a devastating impact on Canada's airline industry and air travellers in the midst of a global economic downturn. More important, such a law is not necessary: the nation's four major air carriers have already implemented a strong passenger rights regime that is entrenched in law and enforceable by the Canadian Transportation Agency (CTA). Accordingly, the National Airlines Council of Canada (NACC) calls on MPs to vote against Bill C-310.

What Canada's Airlines Have Done to Protect Air Travellers

On April 24, 2009, the members of the National Airlines Council of Canada (NACC) amended their contracts of carriage with passengers, called 'tariffs', to incorporate all provisions and obligations outlined in the code of conduct of Flights Rights Canada, the Government of Canada's air travel consumer protection initiative. The new tariffs for domestic flights took effect immediately while those for international flights will take effect once approved by the CTA in early June.

What this Means for Canadians

What this means is that for non weather-related incidents or events caused by a third party, Air Canada, Air Transat, WestJet and Jazz Air LP (operating as Air Canada Jazz) are now legally obligated to honour the rights of passengers, including:

- Re-booking or refunding passengers for cancelled or overbooked flights;
- Providing meal vouchers for delays that exceed 4 hours;
- Providing hotel accommodation and airport transfers for overnight delays of more than 8 hours;
- Offering the option of disembarkation for delays that exceed 90 minutes when circumstances permit;
- Informing passengers of luggage status, delivering delayed luggage in a timely fashion and providing overnight kits as required.
- Providing snacks and drinks during delays when it is safe, practical and timely to do so.

The incorporation of the Flight Rights provisions into airline tariffs protects travellers without destroying an industry that is already facing real difficulties in a depressed marketplace.

Airlines have the greatest incentive to provide a high-quality, predictable service standard for their passengers. They have taken an important and significant step to enhance consumer protection without unduly compromising the viability of our country's airline industry and the livelihood of the more than 40,000 Canadians that NACC's member airlines employ.

How Bill C-310 Will Undermine Passenger Protections Now in Place

- The threat of severe penalties will interfere with a captain's prerogative to determine the safe operations of a flight. These penalties lower passenger safety in Canada by encouraging more risk-taking.



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- The compensation requirements in the bill are grossly punitive and do not recognize the cost/revenue environment that air carriers face today.
- The bill will establish unrealistic and unjust expectations on airlines for factors beyond their control like air traffic control, ground delays, and airport congestion.
- The bill will create a highly litigious environment similar to that in Europe where there are more lawsuits but no better service standards.

Bill C-310 will undermine the airline industry and the good work done to improve passengers' rights to date. Canadians are encouraged to call on their MPs to reject this bill.

The National Airlines Council of Canada is a trade association founded by Canada's largest commercial airlines in order to ensure safe, sustainable and competitive air travel for Canadian consumers.

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